

# REPORT OF THE NATIONAL COMMITTEE TO INVESTIGATE ASSASSINATIONS

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Note: Following are a number of excerpts from "The CTIA News", January 1971 issue, Vol. 1, No. 1. This bulletin is to be published quarterly by the Committee to Investigate Assassinations, 927 15th St., N.W., Room 409, Washington, D.C., 20005. Bernard Fensterwald, an attorney, is executive director of the committee. Any persons interested are invited to write to the Committee, ask to receive the bulletin, and make a contribution to the Committee's work.

## CTIA COMPUTER PROJECT

The CTIA has undertaken to computerize some voluminous files of written data compiled in the course of the investigation into the assassination of President John F. Kennedy. At present, we are storing data on various kinds of association or connection between people, places, organizations, and activities (including dates or other chronological data) as reported in selected source documents. The information is tabulated on a coding sheet, converted to numbers according to a numerical key, and then punched into IBM cards for input into computer storage and processing.

When complete, we expect to be able to supply quick answers, within the limits of the data available to such questions as: Where was Lee Harvey Oswald on November 5, 1963? What acquaintances, if any, did Jack Ruby and David Ferrie have in common? What organizations did Marina Oswald belong to while living in Minsk? Questions of this type frequently come up, yet are often beyond the reach of the memories of individual experts. The computer, on the other hand, can store large volumes of such data, sort it out in various ways, and print it out on demand.

The coding system for this project was devised during the summer of 1970 through the collaborative efforts of Dick Sprague, Bud Fensterwald, Bob Smith and Dick Ehlike. Most of the coding that has been done to date, which includes the Warren Report, several books, and many of the CTIA office files, is the work of Dick Ehlike. Others are developing the programs for storage, retrieval, and correlation of the data.

The CTIA needs help from persons willing to spend time reading and extracting data from source documents in their possession. This work requires no knowledge of computers, but demands careful and systematic tabulation of information. Standard forms and instructions are available from CTIA offices. Write us if you can help. Most of the 26 volumes of Hearings and Evidence published by the Warren Commission still await extraction; so there is plenty to do.

## ASSASSINATION LAWSUITS

### 1. James Earl Ray

On the judicial battlefield, a number of assassination-related suits are slowly wending their way through the courts. Foremost, perhaps, is James Earl Ray's petition for a new trial. [Ray was convicted, by an act of plea-bargaining, of the murder of Reverend Martin Luther King, Jr.; see the article "The Assassination of Martin Luther King, Jr., the Role of James Earl Ray, and the Question of Conspiracy" by R. E. Sprague, in "Computers and Automation", December, 1970, p. 39.]

Midway through the September 2nd hearing in Memphis, Tenn., Judge Williams indicated a desire for further details in support of Ray's allegations, particularly the allegation that Ray's former attorney, Percy Foreman, negotiated the guilty plea directly with Judge Battle rather than with the District Attorney's office.

To meet this request, the hearing was continued over. We subsequently filed a supplemental petition containing many additional facts in support of our allegations.

Our next bout in court is now set for February 23rd. That is five months from September 22nd, when we filed our Supplemental Petition. It took the State of Tennessee two and a half months to produce a two-page reply to the Supplement.

However brief, this time the State's reply clearly joined issue by denying the facts alleged in our Supplement, rather than merely asserting, as in the past, that our petitions contained only "conclusionary allegations" which were insufficient grounds for holding an evidentiary hearing.

This means that on February 23rd we will move for an evidentiary hearing, since the State's denial of our allegations has created issues of fact which can only be resolved by such a hearing. Under Tennessee law James Earl Ray is required to testify at such evidentiary hearing.

### 2. Sirhan B. Sirhan

On the west coast, Sirhan Sirhan's appeal is getting under way. Sirhan's attorney, Luke McKisack, recently filed a 700-page brief alleging some 18 grounds for relief. It is now rumored that Melvin Belli will represent Sirhan on appeal.

### 3. Spectrographic Analysis

In an attempt to shake loose some of the vast mound of suppressed assassination documents, a number of civil suits have been filed under the Freedom of Information Act. More such suits will be filed in the near future.

The Freedom of Information Act suit with perhaps the greatest potential -- one which may ultimately go all the way to the Supreme Court -- is the "Spectro suit." This suit, filed by Harold Weisberg, seeks access to the spectrographic analyses made of bullets, bullet fragments, and the clothing of President Kennedy.

Judge Sirica recently granted a motion by the United States Attorney to dismiss the Spectro suit. Oral argument on the Spectro complaint was severely circumscribed by the Judge -- to less than 30 minutes. Assistant United States Attorney Robert Werdig asserted that it had been determined by the Justice Department it was "not in the national interest" to make public the spectrographic analyses.

While the Freedom of Information Act provides that certain agency records may be exempt from public disclosure on grounds of "national security," the law says nothing at all about "national interest," and, in any event, neither can be invoked purely on the say-so of an assistant U.S. Attorney. In addition, it is difficult to see how it would be against the national interest to learn whatever truth may be revealed by scientific tests like spectrographic analysis.

### 4. Nuclear Activation Analysis

Somewhat along the same lines as the Spectro suit is a complaint filed by Dr. John Nichols in Topeka, Kansas. The Nichols suit requests that he be allowed to examine the bullets, bullet fragments, and articles of clothing of President Kennedy by a process known as nuclear activation analysis.

There are two important advantages to nuclear activation analysis. The first is that the tests may be performed without in any way mutilating, diminishing, or even marking the specimens which are analyzed. Secondly, nuclear activation is ten times more refined than spectrographic analysis; it can detect very minute quantities of a trace element which might not be revealed by spectrographic examination alone, thus improving the chances of making a unique determination of the origin or history of the specimen.

Unfortunately, when Warren Commission staff member Melvin Eisenberg raised the question of whether nuclear activation analyses would show if a bullet had passed through President Kennedy's tie or shirt collar, J. Edgar Hoover rejected any inquiry in that direction, merely asserting "it is not felt that the increased sensitivity of neutron activation analyses would contribute substantially to the understanding of the origin of this hole and frayed area." (Vol. XX, p. 2)

### 5. Clothing of President Kennedy

There are two other Freedom of Information suits now before the courts. Harold Weisberg has filed

a suit, pro se, which asks that he be given access to inspect articles of the President's clothing, or, alternatively, that photographs of the clothing be made for him or copies of existing photographs of the clothing made by the Archives be given him. The first hearing on this suit will probably come in early 1971 before U.S. District Judge Gerhard Gesell.

### 6. Access to FBI File for Senator Kennedy

In the second suit, the Committee to Investigate Assassinations has filed a complaint against the Department of Justice for access to the 6,000-page FBI report on the RFK assassination. This file was made available to Sirhan's defense counsel and to author Robert Blair Kaiser (author of "R.F.K. Must Die"), but the Justice Department has refused to grant us access to it.

A number of other Freedom of Information suits relative to the assassination of President Kennedy are being contemplated. These include suits for access to: (1) the FBI reports on David Ferrie; (2) the file on Lee Harvey Oswald which the Russians turned over to the U.S. Government; and (3) the raw materials used by the autopsy panel which Ramsey Clark convened just prior to the trial of Clay Shaw in New Orleans.

### NEW ASSASSINATION BOOKS

In the literary field, two books dealing with assassinations have been published recently, and a third is expected to hit the bookstands in early 1971.

Robert Blair Kaiser has authored the first critical examination of the investigation into the RFK assassination. "R.F.K. Must Die. A History of the Robert Kennedy Assassination and its Aftermath." published by E.P. Dutton Co., presents the thesis that Sirhan shot Kennedy under the influence of post-hypnotic suggestion and points to a possible conspiracy in that assassination. It contains much data not otherwise available in published form.

A Heritage of Stone, by District Attorney Jim Garrison of New Orleans, has also been published by G.P. Putnam's Sons, New York. A favorable review of it appeared in the New York Times. Garrison's book largely avoids any discussion of the Clay Shaw trial. Instead, Garrison concentrates on the politics of the assassination. Basically, the book argues the thesis that President John F. Kennedy was assassinated because he threatened the political interests of the military-industrial-intelligence complex. In particular, Garrison feels that the JFK assassination was tied to policies which the President had begun to implement to abate Cold War tensions, including a planned withdrawal of American troops from Vietnam.

Harold Weisberg has now written a book on the assassination of Dr. Martin Luther King. It is to be published early next year by Outerbridge and Dienstfry, New York, under the title of Frame-Up. The book argues very persuasively that: 1) James Earl Ray did not shoot Dr. King, 2) the assassination could not have been carried out as officially described, and 3) there is abundant evidence of a conspiracy.

Grounds for belief that intelligence components of the military services might have been conducting surveillance operations at the scene of the assassinations of Martin Luther King, Jr., and Senator Robert Kennedy were established by disclosures made during NBC's "First Tuesday" telecast on December 1st, 1970. The second hour of the telecast, narrated by Sander Vanocur, documented numerous and widespread instances in which agents gathered data on attendees at various political functions. Some of the functions covered include the 1968 political conventions in Miami and Chicago, the MLK funeral, and the Poor People's March on Washington. According to various former Army agents who appeared on the telecast, the Army monitored communications, took photographs, and prepared detailed reports of individuals observed at these functions, purportedly in the interest of preventing civil disturbance. Extensive files from these surveillances are stored at Fort Holabird, Md.

Although not mentioned in the telecast, the visit of Martin Luther King, Jr., to Memphis and the campaign wind-up of Senator Robert F. Kennedy in Los Angeles were events of the same character as had drawn the attentions of the Army observers, both on earlier and later occasions. Notwithstanding the absence of public reports in these instances, the presumption is that they were covered, at least in some degree. Or if not, it might be asked, why not?

In a subsequent statement published in the Washington Star, former Defense Secretary Clark Clifford denied any knowledge that such things were going on. Therefore he implied that the military operates independently of the Office of the Secretary of Defense in such matters. Apparently, surveillance of the American public by our own military services can and does occur without the knowledge of responsible officials.

Senator Ervin has now announced that he will hold hearings on the subject sometime in late February or early March.

The possibility that some sort of early version of such surveillance might have been operating in Dallas ought not to be dismissed. Students of the assassination of President Kennedy were aware long ago that an agent of the Army Intelligence Corps was present in Dealey Plaza. He took a photograph of the TSBD some 30 seconds after the shots and subsequently entered the building and "worked with the Sheriff's Deputies at the rear." He reported to the FBI that he had submitted a report of his activities to his unit and that the report would be made available on request (see pp. 312-313 in "Six Seconds in Dallas", by Josiah Thompson, published by Bernard Geis and Associates, New York). Neither his photograph nor his report have ever been disclosed, nor is his name mentioned in the Warren Report or the 26 volumes of "Hearings and Evidence".

We hope that Senator Ervin will see fit to ask questions about the Army's possible knowledge of these assassinations. Was it present, officially or unofficially, at any of the three major assassinations? Where are its reports? Why, in its self-appointed role as monitor of potential civil disturbances, has the Army been unable to provide any protection to our leaders?

## "Computers And Automation"

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